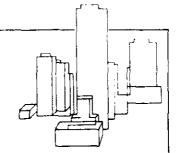


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GEORGE PIERCE, Chairman





February 19, 1992

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The Honorable Dan Morales
Attorney General, State of Texas
C/O Opinion Committee
P. O. Box 12548
Austin, Texas 78711-2548

Dear Attorney General Morales:

I request your opinion regarding the following question:

Under what circumstances, if any, is a member of a home rule municipality barred by law from voting on a zoning change for a geographical area that includes a residence owned by the council member in question? Furthermore, is it permissible or proper for a council member to recuse himself when the council votes to adopt a zoning ordinance for a geographical territory that includes the member's residence?

For your information, I am enclosing a copy of a letter which prompts these questions.

Sincerely,

George Pierce

Chairman, Urban Affairs Committee Texas House of Representatives

GP/wrn

Enclosure